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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/534,474 03/24/00 WOODS

D W00001

EXAMINER

WM01/0508

THE LAW OFFICE OF EVERETT G. DIEDERIKS J  
12471 DILLINGHAM SQUARE #301  
WOODBIDGE VA 22192

LAQ.L

ART UNIT

PAPER NUMBER

2673

DATE MAILED:

05/08/01

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/534,474

Applicant(s)

Woods

Examiner

LAO, LUN-TI

Group Art Unit

2673

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1 - 20 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1 - 20 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
  - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 2
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

Office Action Summary

Art Unit: 2673

***Claim Rejections - 35 U.S.C. § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 7, 10, 13-16, 18 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Russo(5,336,002).

As to claims 7, 10 and 13, Russo teaches a keyboard comprising a plurality of keys arranged in an array on an upper side of a base(see figures 1, 13, 16; column 4, lines 55-68 and column 5, lines 1-6). The keys includes letter keys, a tab key, a backspace key and a function key, wherein both tab(233, 234) and backspace keys(232) are centrally located within the array(see figures 2, 13 and 16).

As to claims 13, 14, 15 and 19, Russo teaches a plurality of shift keys(142, 148, 136, 150, 138 or 242, 236, 238, 250 and 248) located in a lower central portion of the array(see figures 1, 2, 13, 16; column 5, lines 2-6 and lines 63-64; and column 9, lines 4-42).

As to claim 16, the plurality of shift keys(142, 148, 136, 150, 138 or 242, 236, 238, 250, 248) are arranged in two different rows on the keyboard(110)(see figures 1, 2, 13 and 16).

Art Unit: 2673

As to claim 18, Russo teaches two(148, 150 or 248, 250) of least three separate shift keys perform identical function(see figures 1, 2, 13, 16 and column 9, lines 4-42).

***Claim Rejections - 35 U.S.C. § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Russo(5,336,002) in view of Wakatsuki et al(5,065,003).

Russo teaches a scroll key(Scroll Lock Key) above the shift keys(236, 248, 250)(see figure 13).

Russo fails to teach a scroll button located directly adjacent at least one of shift keys.

Wakatsuki et al teach a scroll button(3c) located directly adjacent a shift key(3b)(see figures 1A, 1B and column 4, lines 60-68). It would have been obvious to have modified Russo with the teaching of Wakatsuki, since the function of a key would not be effected by changing location of the key and a change in location is generally recognized as being within the level of ordinary skill in the art.

Art Unit: 2673

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Russo(5,336,002) in view of Maynard et al(5,557,299).

Russo fail to disclose shift keys are color coded.

Maynard et al teach a keyboard having a color code(Green, Red, Blue, Yellow)(see figure 5; column 5, lines 57-68 and column 6, lines 1-36). It would have been obvious to have modified Russo with the teaching of Maynard et al, so a user can first easily locate the type of key by its color(see column 5, lines 65-68 and column 6, line 1).

6. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russo(5,336,002) in view of Choate(5,352,050).

Russo fails to disclose at least two multi-letter words would be come out when read one of rows of selected letter keys from left to right.

Choate teaches a keyboard having tow multi-letter words( I H O T) came out when read one of rows of selected letter keys from left to right(see figure 2). It would have been obvious to have modified Russo with the teaching of Choate, since the function of a key would not be effected by changing location of the key and a change in location is generally recognized as being within the level of ordinary skill in the art.

7. Claims 8-9 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russo(5,336,002) in view of Chen(5,739,776).

Russo fails to disclose a tab key is located on the left or same row of the backspace key.

Art Unit: 2673

At to claims 8-9 and 11-12, Chen teaches a keyboard comprising a tap key(15) same row to a backspace key(16)(see figures 1, 4 and column 2, lines 39-49). It would have been obvious to have modified Russo with the teaching of Chen, since the function of a key would not be effected by changing location of the key and a change in location is generally recognized as being within the level of ordinary skill in the art.

As to claim 9, it would have been obvious to have a tab key mounted on the left side of the backspace key since the function of a key would not be effected by changing location of the key and a change in location is generally recognized as being within the level of ordinary skill in the art.

***Conclusion***

**8. Any response to this action should be mailed to:**

**Box AF**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications; please mark "EXPEDITED  
PROCEDURE")

**Or:**

Art Unit: 2673

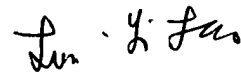
(703) 308-6606 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

9. Any inquiry concerning this communication should be directed to Lun-yi, Lao at telephone number (703) 305-4873.

May 4, 2001



Lun-Yi Lao  
Primary Examiner